

As a below named inventor, I hereby declare that:

My residence post office address and citizenship are as stated below next to my name.

I believe I am the original first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled METHODS AND APPARATUS FOR BLOCKING FLOW THROUGH BLOOD VESSELS the specification of which

(check one) ☐ is attached hereto
☒ was filed on 29 July 1998
 as US Application Serial Number or PCT International Application Number 09/117,516
 and was amended on _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability as defined in 37 CFR § 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)

Priority Not Claimed

<u>PCT/US97/01463</u>	_____	<u>31 January 1997</u>	<input type="checkbox"/>
(Number)	(Country)	(Day/Month/Year Filed)	
_____	_____	_____	<input type="checkbox"/>
(Number)	(Country)	(Day/Month/Year Filed)	

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below.

<u>60/010,614</u>	<u>February 2, 1996</u>
(Application Number)	(Filing Date)
_____	_____
(Application Number)	(Filing Date)

I hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s), or § 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR § 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application.

<u>08/730,327</u>	<u>October 11, 1996</u>	<u>Pending</u>
(Application Number)	(Filing Date)	(Status - patented, pending, abandoned)
<u>08/730,496</u>	<u>October 11, 1996</u>	<u>Pending</u>
(Application Number)	(Filing Date)	(Status - patented, pending, abandoned)

I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith: Frank J. Uxa, Reg. No. 25,612; Donald E. Stout, Reg. No. 34,493; Robert D. Buyan, Reg. No. 32,460; Kenton R. Mullins, Reg. No. 36,331; D. Jennings Meincke, Reg. No. 36,606; Phillip H. Haymond, Reg. No. 38,177

Address all telephone calls to Robert D. Buyan at telephone number (949) 450-1750
 Address all correspondence to Robert D. Buyan
Stout, Uxa, Buyan & Mullins, LLP
100 Pacifica, Suite 210
Irvine, California 92618

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor (given name, family name) JOSHUA MAKOWER

First Inventor's signature [Signature]
 Residence Los Altos, California
 Post Office Address 450 Tyndall Avenue, Los Altos, CA 94022

Date 1/6/99
 Citizenship U.S.A.

Full name of second joint inventor (given name, family name) JC FLAHERTY

Second Inventor's signature [Signature]
 Residence Los Altos, California
 Post Office Address 11 Pine Lane, Los Altos, CA 94022

Date 1/6/99
 Citizenship U.S.A.

Full name of third joint inventor (given name, family name) TIMOTHY R. MACHOLD

Third Inventor's signature [Signature]
 Residence Moss Beach, California
 Post Office Address 65 Bernal Avenue, Moss Beach, CA 94038

Date 1/7/99
 Citizenship U.S.A.

Full name of fourth joint inventor (given name, family name) JASON B. WHITT

Fourth Inventor's signature 

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Date 1/6/99

Citizenship U.S.A.

Full name of fifth inventor (given name, family name) PHILIP C. EVARD

Fifth Inventor's signature 

Residence Palo Alto, California

Post Office Address 3192 Bryant Street, Palo Alto, CA 94306

Date 1-6-99

Citizenship U.S.A.

Full name of sixth joint inventor (given name, family name) PATRICK E. MACAULAY

Sixth Inventor's signature 

Residence San Jose, California

Post Office Address 3268 Flintview Court, San Jose, CA 95148

Date 1-8-99

Citizenship U.S.A.

Full name of seventh joint inventor (given name, family name) JOHN T. GARIBOTTO

Seventh Inventor's signature 

Residence Palo Alto, California

Post Office Address 828-A Cowper Street, Palo Alto, CA 94301

Date 1/6/99

Citizenship U.S.A.

Full name of eighth joint inventor (given name, family name) MARC JENSEN

Eighth Inventor's signature 

Residence Los Gatos, California

Post Office Address P.O. Box 2176, Los Gatos, CA 95031

Date 1/6/99

Citizenship U.S.A.

Applicant or Patentee: Joshua (NMI) Makower et al.
Serial or Patent No.: 09/117,516
Filed or Issued: July 29, 1998
Title: METHODS AND APPARATUS FOR BLOCKING FLOW THROUGH BLOOD VESSELS

Docket No. TRNSV-016US

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS
(37 C.F.R. 1.9(i) & 1.27(b))--INDEPENDENT INVENTOR

As a below named inventor, I hereby declare that I qualify as an independent inventor as defined in 37 C.F.R. 1.9(c) for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, to the Patent and Trademark Office with regard to the invention entitled METHODS AND APPARATUS FOR BLOCKING FLOW THROUGH BLOOD VESSELS described in

☐ the specification filed herewith
☒ application serial no. 09/117,516, filed July 29, 1998
☐ patent no. _____, issued _____

I have not assigned, granted, conveyed or licensed and am under no obligation under contract or law to assign, grant, convey or license, any rights in the invention to any person who could not be classified as an independent inventor under 37 C.F.R. 1.9(c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 C.F.R. 1.9(d) or a nonprofit organization under 37 C.F.R. 1.9(e).

Each person, concern or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:

☐ no such person, concern, or organization
☒ persons, concerns or organizations listed below *

*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 C.F.R. 1.27)

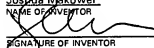
FULL NAME TRANSVASCULAR, INC.
ADDRESS 1505-D Adams Drive, Menlo Park, California 94025
☐ INDIVIDUAL ☒ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

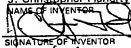
FULL NAME _____
ADDRESS _____
☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

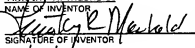
FULL NAME _____
ADDRESS _____
☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION


I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 C.F.R. 1.28(b))

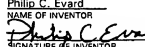
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

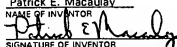
Joshua Makower
NAME OF INVENTOR

SIGNATURE OF INVENTOR
DATE 1/19/99


J. Christopher Flaherty
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SIGNATURE OF INVENTOR
DATE 1/19/99


Timothy R. Machold
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DATE 1/15/99

Jason B. Whitt
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DATE 1-19-99

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DATE 1-14-99

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SIGNATURE OF INVENTOR
DATE 1/19/99

Marc Jensen
NAME OF INVENTOR

SIGNATURE OF INVENTOR
DATE 1/19/99

Applicant or Patentee: JOSHUA (NMI) MAKOWER, et al.
Serial or Patent No.: 09/117,516
Filed or Issued: July 29, 1998
Title: METHODS AND APPARATUS FOR BLOCKING FLOW THROUGH VESSELS

Docket No.: TRNSV-016US

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS
(37 CFR 1.9(f) & 1.27(e))--SMALL BUSINESS CONCERN

I hereby declare that I am

- ☐ the owner of the small business concern identified below:
☒ an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF SMALL BUSINESS CONCERN TRANSVASCULAR, INC.
ADDRESS OF SMALL BUSINESS CONCERN 1505-D Adams Drive
Mentlo Park, CA 94025

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.12, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees to the United States Patent and Trademark Office, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled: METHODS AND APPARATUS FOR BLOCKING BLOOD FLOW THROUGH BLOOD VESSELS
by inventor(s): Joshua Makower, J. Christopher Flaherty, Timothy R. Machold, Jason B. Whitt, Philip C. Evard Patrick E. Macaulay,
John T. Baribolito, and Mark Jensen

- described in
☐ the specification filed herewith
☒ application serial no. 09/117,516 filed July 29, 1998
☐ patent no. _____, issued _____

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights in the invention is listed below* and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d), or a nonprofit organization under 37 CFR 1.9(e). *NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averting to their status as small entities. (37 CFR 1.27)

NAME _____
ADDRESS _____
☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION
NAME _____
ADDRESS _____
☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statement made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statement were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING Joshua (NMI) Makower
TITLE OF PERSON IF OTHER THAN OWNER President
ADDRESS OF PERSON SIGNING 177 Yerba Buena Avenue, Los Altos, CA 94022

SIGNATURE  DATE JANUARY 19, 1999